

महाराष्ट्र प्रादेशिक व नगर रचना अधिनियम,
१९६६ चे कलम ३७(२) अन्वये नागपूर
विकास नियंत्रण नियमावलीतील
फेरबदलाबाबत मंजूरी
नियम क्र. एन-२.९(४) मधील बदलाबाबत..

महाराष्ट्र शासन
नगर विकास विभाग
निर्णय क्रमांक टिपीएस २४०५/२७२०/प्र.क्र.११५/०६/नवि-९
शिबीर कार्यालय, नागपूर.
दिनांक : ५ डिसेंबर, २००६

शासन निर्णय:- सोबतची अधिसूचना असाधारण राजपत्रात प्रसिध्द करण्यात यावी.

महाराष्ट्राचे राज्यपाल यांचे आदेशानुसार व नांवाने,

(सुधाकर मांगनेरे)
उपसचिव

प्रति,

- १) विभागीय आयुक्त, नागपूर विभाग, नागपूर,
- २) आयुक्त, नागपूर महानगरपालिका, नागपूर.
- ३) सभापती, नागपूर सुधार प्रन्यास, नागपूर.
- ४) संचालक, नगररचना, महाराष्ट्र राज्य, पुणे.
- ५) उपसंचालक, नगररचना, नागपूर विभाग, नागपूर,
- ६) सहायक संचालक नगर रचना, नागपूर शाखा, नागपूर.
- ७) व्यवस्थापक, शासकीय मुद्रणालय, नागपूर

(त्यांना विनंती करण्यात येते की, सोबतची अधिसूचना महाराष्ट्र शासनाचे असाधारण राजपत्र भाग-१ नागपूर विभाग, पुरवणीमध्ये प्रसिध्द करण्यात येवून त्याच्या १० प्रती नगर विकास विभाग, मंत्रालय, मुंबई, आयुक्त, नागपूर महानगरपालिका, नागपूर, उपसंचालक नगर रचना, नागपूर विभाग, नागपूर व सहायक संचालक नगर रचना, नागपूर शाखा, नागपूर यांना पाठविण्यात याव्यात.)

कक्ष अधिकारी, नवि-२९ नगर विकास विभाग, मंत्रालय, मुंबई त्यांना विनंती की, त्यांनी उक्त अधिसूचना विभागाच्या वेब साईटवर प्रसिध्द करावी.

- ९) निवडनस्ती (कार्यासन नवि-९)

**Maharashtra Regional and
Town Planning Act, 1966.**

**Sanction under section 37(2)
of ...**

**Replacing the provision of
Rule No. N-2.9(4) with New
Regulation of additional FSI
for dangerous building.**

GOVERNMENT OF MAHARASHTRA

Urban Development Department,

Camp Office, Nagpur

Dated 5th December, 2006.

NOTIFICATION

No. TPS-2405/2720/CR-115/06/UD-9:

Whereas Development Control Regulations for Nagpur Municipal Corporation (hereinafter referred to as "the said Regulations") have been sanctioned by Government in Urban Development Department, under section 31(1) of the Maharashtra Regional and Town Planning Act, 1966 (hereinafter referred to as "the said Act") vide Notification No. TPS 2496/2643/CR-300(A)/97/UD-9 dated 7/1/2000.

And whereas, in the said regulations the provisions for dangerous building is only for outside congested area [N-2.9(4)] and there is no specific provision for dangerous building in congested area, and also the provision in outside congested area is deficient;

And whereas, Government had issued notice dt.3/7/2006 u/s 37 (1AA) of the said Act which is published in Maharashtra Govt. Gazette (Nagpur Division Supplement) Dated 13/7/2006 and also in the local newspaper Daily "Sakal" dated 5/8/2006 and Daily Lokmat Times dated 6/8/2006 to delete the existing provision N-2.9(4) of additional FSI for dangerous building outside congested area and replace by a new provision "N.2.9(4) Additional FSI for dangerous buildings in congested area and outside congested area" (hereinafter referred to as "the said Modification") & appointed Deputy Director of Town Planning Nagpur Division, Nagpur as an 'Officer' to hear the objections/suggestions and to submit their report to Government;

And whereas, considering the report of the officer appointed and after making necessary enquiries and consulting the Director of Town Planning, Government, is satisfied that the said modification should be sanctioned.

Now therefore, in exercise of the powers conferred under subsection (2) of the section 37 of the said Act, Govt. hereby sanctions the said modification with some changes and for that purpose amends the said regulation replacing the existing provision of additional FSI for dangerous building N 2.9(4) by new provision as follows-

N-2.9(4) Additional FSI for dangerous building in congested area and outside congested area:

Reconstruction in whole or in part of any authorised building (not being the building used for warehousing) existed on or after the date of declaration of intention to revise the Development Plan of Nagpur which has ceased to exist in consequence of accidental fire / natural collapse or demolition for the reasons of the same having been declared unsafe by or under a lawful order of Nagpur Municipal Corporation or is likely to be demolished for the reasons of the same having been decided unsafe by or under lawful order of Nagur Municipal Corporation, the total F.S.I. shall be the F.S.I. required for rehabilitation of existing tenants/occupants in the mill chawls Plus 50% incentive F.S.I. on the rehabilitation area subject to a maximum of 2.5 F.S.I. on the same plot. The built area over and above the 2.5 FSI shall be available in the form of TDR. However if the rehabilitation area plus 50% incentive F.S.I. is less than F.S.I. permissible, the incentive builtup area may be allowed over and above the permissible F.S.I. The reconstruction shall be subject to following conditions-

- (a) Reconstruction of new building on the plot should conform to the provisions of the development plan and these Regulations.
- (b) The new building may be permitted to be reconstructed in pursuance of an agreement to be executed on stamp paper by at-least 70 per cent of the tenants in the original building, within the meaning of Bombay rents, Hotel and lodging houses rent control Act, 1947 or occupants residing in the mill chawls Such agreement shall make a provision for accommodation for the all occupants in the new building on agreed terms and a copy of such agreement shall be deposited with the Corporation / NIT before commencement or undertaking reconstruction of the new building.
- (c) The landlord & tenants /occupants in the mill chawls of the original buildings shall furnish a duly stamped undertaking that he / they shall allot to all the occupants in the original building accommodation in the new building.
- (d) No construction of reconstruction shall be permitted on set back areas or areas required for road widening and such areas shall be handed over to the corporation.
- (e) Each tenant shall be rehabilitated and given the carpet area occupied by him for residential purpose in the old building subject to the minimum carpet area of 20.90 sq.mt. (225 sqft.) and / or maximum carpet area up to 70 sq. mt. (753 sqft.) and in case of occupants in the mill chawl minimum carpet area of 20.90 sq.m. free of cost.

Note:

- 1) A copy of this notification is being kept open for inspection of general public in the office of the said officer and the Commissioner, Nagpur Municipal Corporation, Nagpur on all working days during working hours for the period of one month.
- 2) This notification is also available on Governments web site viz. **www.urban.maharashtra.govt.in**

By order and in the name of the Governor of Maharashtra,


(Sudhakar Nangnure)
Deputy Secretary to Government.